



No. 1  
Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_\_ of 20\_\_

BETWEEN:

Doane Kenneth Magis

Plaintiff

AND:

Beverly Dorothy Day

Defendant

To the Defendant

80 Outpost Street, Windsor Park  
George Town

THIS PLAINT has been issued against your by the above – named Plaintiff in respect of the claim set out on the next page.

**Within 14 days** after service of this Plaint on you, counting the day of service you must either satisfy the claim or return to the Court Office, PO Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to defend the action, in whole or in part, you must set out **full particulars of your defence** in the space provided in the Acknowledgement of Service form.

**If you fail** to satisfy the claim or fail to return the Acknowledgement of Service form containing full particulars of your defence, the Plaintiff may apply for a **default judgment** without any further notice to you.

Issued this    day of    20

**See overleaf for particulars of the Plaintiff's claim**

**PARTICULARS OF CLAIM**

(Here set out in numbered paragraphs the grounds upon which the Plaintiff claims that the Defendant is indebted to him or is liable to pay damages to him)

See attached.

AND the Plaintiff claims:

- 1 The sum of \$2875.00
- 2 Interest in the sum of \$ Ø calculated at the prescribed rate from to date.
- 3 Fixed costs of \$ 180.00, alternatively costs to be assessed.



Plaintiff's Signature

Plaintiff's address for service

14 Edgemere Circle  
The Lakes in South Sound  
George Town

345 - 926 - 8000

email: dmagis@ymail.com

1. On February 3, 2021 at 11.30 the Defendant was selling juices at a construction site next to Knight Quay. As the Defendant was leaving, she reversed her vehicle into the Plaintiff's parked motorcycle, knocking it to the ground. The incident was witnessed by the Plaintiff and several independent witnesses at the construction site. The motorcycle sustained scratches on the right side, including the upgraded exhaust recently fitted. The Plaintiff's helmet and visor were also damaged in the impact. The motorcycle is a custom Honda 2018 CB1000R, 2 years old and prior to the incident was in showroom condition.

2. The Defendant initially denied having hit the motorcycle, despite the incident having been witnessed. The Defendant then admitted to having hit the motorcycle but claimed that no damage had been caused.

3. The Plaintiff requested the Defendant's insurance details. The Defendant did not have motor vehicle insurance. The Plaintiff called the RCIP to attend.

4. PC Brian Jameson of RCIP attended the scene and completed an accident report (RCIPS case file No. 2021-003327), The Defendant assured PC Jameson that she would cover the cost of the damages and would make payment by the end of February.

5. The Plaintiff obtained a quote for the repair from DBMoto Ltd which is a specialist motorcycle repair operation who maintains the motorcycle and who are qualified to undertake the work. The quote was provided to the Defendant by WhatsApp and email.

6. Having received the quote, the Defendant has since responded on WhatsApp to state that she has no intention of paying for the repair.

No. 2

**Acknowledgment of Service**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_\_ of 20\_\_

Between:

Deane Kenneth Magis

Plaintiff

AND:

Beverly Dorothy Day

Defendant

ACKNOWLEDGMENT OF SERVICE

1 State Defendant's name and address -

2 State whether the Defendant intends to contest the action.

Yes

No

3 If you do not intend to contest the action, do you want time in which to pay the claim?

Yes

No

4 If you do intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

**Service of the Plaintiff is acknowledged accordingly.**

\_\_\_\_\_  
Defendant's Signature

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

**See Overleaf**

## **PARTICULARS OF DEFENCE**

(Here set out in numbered paragraphs the grounds upon which the Defendant says that he is not liable to the Plaintiff, or is not liable for the full amount claimed)

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Defendant's Signature

**REMINDER -** This form must be taken or sent to the Court Office, PO Box 495GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.